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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,667	11/06/2000	Arnold Karel Jansen Van Doorn	PHN-17.714	8978

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

PAYNE, DAVID C

ART UNIT	PAPER NUMBER
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2633

DATE MAILED: 10/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,667

Applicant(s)

JANSEN VAN DOORN, ARNOLD
KAREL

Examiner

David C. Payne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6, 7. 6) ☐ Other: _____

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because figure 1, 3, 4 and 5 contain blank boxes that are not widely recognized engineering symbols. Applicant must supply a suitable legend. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen US005915205A (Chen).

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Re claim 1, 7

Communication system, comprising a network (Figure 2), one or more optical transmitters (202) and potential noise sources (220), characterized in that the communication system comprises filter (Figure 3, (306) (310)) means coupled between the noise sources and the at least one optical transmitter, which filter means have a cut-off frequency, dependent on the noise frequency (e.g., col./line: 2/40-45, 5/1-15).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US005915205A (Chen) in view of McMullan Jr. et al. US005142690A (McMullan).

Re claim 2, 8

Chen does not disclose a communication system characterized in that the cut-off frequency of the filter means lines around 10 to 15 MHz. McMullan disclosed a filter means that operates in the 12-19 megahertz bandpass range (e.g., col./line: 12/48-55). It would have been obvious to one of ordinary skill in the art the time of invention to use a bandpass filter around the 12 to 19 MHz range in the Chen invention for the benefit of rejecting harmonic energy of the module transmitter as discussed by McMullan, (see col./line: 12/48-55).

Re claim 3

The modified system of Chen and McMullan disclosed a communication system characterized in that the filter means (Figure 5 - McMullan) are arranged as a high pass filter (516) and/or low pass filter (506).

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Re claim 4

The modified system of Chen and McMullan disclosed a communication system characterized in that the filter means are arranged as adaptive filter means, such that if impulse noise arises it is being blocked from passing upstream through the communication system (see McMullan, col./line: 8/3-10).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US005915205A (Chen) in view of Izakson et al. US 4,207,543 (Izakson).

Re claim 3

Chen does not disclose a communication system characterized in that the filter means are arranged as a high pass filter and/or low pass filter. Izakson disclosed a filter means with a high-pass and low-pass filter (e.g., col./line: 6/18-25). It would have been obvious to one of ordinary skill in the art at the time of invention use filter means constructed of a high-pass and low-pass filter in the Chen invention for the benefit of selecting the cut-off frequency so that the transmission coefficient of the filter is maximum at the point of interest and decreases on both side of this maximum, see Izakson col./line: 6/18-25).

8. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen US005915205A (Chen) in view of McMullan Jr. et al. US005142690A (McMullan) as applied to claim 4 above, and further in view of Izakson et al. US 4,207,543 (Izakson).

Re claim 5

The Chen and McMullan invention as taught does not disclose a communication system

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characterized in that the communication system comprises a threshold detector and a controllable switch having a control input coupled to the threshold detector. Izakson (Figure 4, e.g., col./line: 6/28-55) disclosed an amplitude detector (13) that detects the output of a threshold circuit (10). It would have been obvious to one of ordinary skill in the art at the time of invention to use a threshold detector in the Chen and McMullan invention for the benefit of detecting/adapting a signal detection in the presence of a changing noise environment

Re claim 6


Chen disclosed a communication system (Figure 4) characterized in that communication system comprises a summing device (430) for summing at least one filtered version of an impulse noise containing RF signal.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David C. Payne whose telephone number is (703) 306-0004. The examiner can normally be reached on M-F, 7a-4p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (703) 305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


LESLIE PASCAL
PRIMARY EXAMINER

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